

MINUTES

GARDEN GROVE CITY COUNCIL

A Regular Meeting of the City Council of the City of Garden Grove was called to order in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, on Tuesday, September 8, 2009, at 6:50 p.m.

ROLL CALL: PRESENT: (5) MAYOR DALTON, COUNCIL MEMBERS
BROADWATER, DO, JONES, NGUYEN

ABSENT: (0) NONE

INVOCATION AND PLEDGE

The Invocation was given by Keith Jones, Public Works Director. Council Member Jones led the Pledge of Allegiance to the Flag of the United States of America.

COMMUNITY SPOTLIGHT – RECOGNITION OF BEATRICE JONES, SENIOR GOLD MEDAL WINNER (F: 52.3)

Mayor Dalton called Beatrice Jones forward and presented her with a certificate and memento recognizing her achievement as a Senior Gold Medal Winner for swimming.

BUSINESS SPOTLIGHT - VICTOR GOMEZ, LOS SANCHEZ RESTAURANT, IN RECOGNITION OF THEIR 30TH ANNIVERSARY IN GARDEN GROVE (F: 52.3)

Mayor Dalton called Victor Gomez forward and presented him with a certificate of appreciation and memento in recognition of being a long time business owner and restaurateur in Garden Grove for 30 years.

PRESENTATION - NATIONAL CHILDREN'S STUDY BY MARY COGGINS, OUTREACH AND ENGAGEMENT COORDINATOR (F: 52.3)

Mary Coggins, Outreach and Engagement Coordinator for the National Children's Study, presented a video regarding the National Children's Study: Children's Health Act of 2000.

ORAL COMMUNICATIONS - PUBLIC

Reyna Reynoso, Public Affairs Liaison from the Southern California Gas Company, introduced herself and informed the City Council that she will be out in the community. (F: 121.2B)

Robin Marcario thanked the City Council for allowing her to contribute mosaic art for four bus benches.

Rod Powell spoke in support of placing the fireworks issue on the ballot. He also commented on the residency requirement for local elected officials. (F: 61.6)

Peter Katz requested that the Vehicle Parking District No. 2 fees that have been collected be used for Main Street. He expressed his belief in what Main Street has to offer, and the potential to attract people to Main Street citing the Friday Night Car Show as an example. (F: 75.3)

Peggy Bergin commented on community and civic matters including the increase in water fees referencing an article about the increase of pensions for employees of the Municipal Water District. (F: 112.5)

Charles Mitchell commented on the value of service given to the nation by our veterans, noting an HBO documentary featuring recently deceased Shifty Powers who served in World War II. He requested the meeting be adjourned in memory of Shifty Powers.

RECESS

At 7:35 p.m., the Mayor declared a recess.

RECONVENE

At 7:50 p.m., Mayor Dalton reconvened the City Council meeting with all Council Members present.

PROCLAMATION DECLARING SEPTEMBER 28, 2009, AS A FAMILY DAY – A DAY TO EAT DINNER WITH YOUR CHILDREN (F: 83.1)

Staff report dated September 8, 2009, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Nguyen, and carried by unanimous vote that September 28, 2009, be and hereby is proclaimed as Family Day – A Day to Eat Dinner with your Children.

RESOLUTION INITIATING THE FALL 2009 WEED ABATEMENT PROGRAM
(F: 113.1) (XR: 61.1)

Staff report dated September 8, 2009, was introduced.

RESOLUTION NO. 8924-09

It was moved by Council Member Broadwater, seconded by Council Member Nguyen, and carried by unanimous vote that full reading of Resolution No. 8924-09 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DECLARING THAT A NUISANCE EXISTS IN CONNECTION WITH THE EXISTENCE OF WEEDS, RUBBISH, AND REFUSE ON CERTAIN PROPERTIES WITHIN THE CITY OF GARDEN GROVE AND AUTHORIZING THE CITY CLERK TO MAIL A WRITTEN NOTICE OF THE NUISANCE(S) IN ACCORDANCE WITH THE PROVISIONS OF GOVERNMENT CODE SECTION 39566 AND 39567.1, be and hereby is adopted.

RESOLUTION REQUESTING THE ORANGE COUNTY TRANSPORTATION AUTHORITY ALLOCATE COMBINED TRANSPORTATION FUNDING PROGRAM FUNDS FOR THE HARBOR BOULEVARD/TRASK AVENUE INTERSECTION IMPROVEMENT PROJECT NO. 7128 (F: 96.proj.7128) (XR: 23.18)
(XR: 24.11)

Staff report dated September 8, 2009, was introduced and reviewed.

RESOLUTION NO. 8925-09

It was moved by Council Member Broadwater, seconded by Council Member Nguyen, and carried by unanimous vote that full reading of Resolution No. 8925-09 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE REQUESTING THE ORANGE COUNTY TRANSPORTATION AUTHORITY TO ALLOCATE COMBINED TRANSPORTATION PROGRAM FUNDS FOR HARBOR BOULEVARD/TRASK AVENUE INTERSECTION IMPROVEMENTS, be and hereby is adopted.

RESOLUTION REQUESTING THE ORANGE COUNTY TRANSPORTATION
AUTHORITY ALLOCATE COMBINED TRANSPORTATION FUNDING PROGRAM
FUNDS FOR THE EUCLID STREET/HAZARD AVENUE INTERSECTION
IMPROVEMENT PROJECT NO. 7246 (F: 96.Proj.7246) (XR: 23.18)
(XR: 24.11)

Staff report dated September 8, 2009, was introduced and reviewed.

RESOLUTION NO. 8926-09

It was moved by Council Member Broadwater, seconded by Council Member Nguyen, and carried by unanimous vote that full reading of Resolution No. 8926-09 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE REQUESTING THE ORANGE COUNTY TRANSPORTATION AUTHORITY TO ALLOCATE COMBINED TRANSPORTATION PROGRAM FUNDS FOR EUCLID STREET/HAZARD AVENUE INTERSECTION IMPROVEMENTS, be and hereby is adopted.

RESOLUTION REQUESTING THE ORANGE COUNTY TRANSPORTATION
AUTHORITY ALLOCATE COMBINED TRANSPORTATION FUNDING PROGRAM
FUNDS FOR THE HARBOR BOULEVARD/SR 22 INTERCHANGE IMPROVEMENTS
PROJECT (F: 23.18c) (XR: 36.3) (XR: 24.11)

Staff report dated September 8, 2009, was introduced and reviewed.

RESOLUTION NO. 8927-09

It was moved by Council Member Broadwater, seconded by Council Member Nguyen, and carried by unanimous vote that full reading of Resolution No. 8927-09 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE REQUESTING THE ORANGE COUNTY TRANSPORTATION AUTHORITY TO ALLOCATE COMBINED TRANSPORTATION PROGRAM FUNDS FOR HARBOR BOULEVARD/SR 22 INTERCHANGE IMPROVEMENTS, be and hereby is adopted.

AGREEMENT WITH PAVEMENT COATINGS COMPANY FOR ON-CALL SLURRY
SEAL (F: 55) (XR: 24.1)

Staff report dated September 8, 2009, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Nguyen, and carried by unanimous vote that the Agreement by and between the City of Garden Grove and Pavement Coatings

Company for on-call slurry seal, in the amount not to exceed \$234,000 per year for up to four years, be and hereby is approved; and the City Manager is authorized to execute the agreement for the performance period.

COOPERATIVE AGREEMENT WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR THE SR-22, I-405, I-605 FREEWAY IMPROVEMENT PROJECT
(F: 55) (XR: 24.11)

Staff report dated September 8, 2009, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Nguyen, and carried by unanimous vote that Cooperative Agreement No. C-9-0652 by and between the Orange County Transportation Authority and the City of Garden Grove for the SR-22, I-405, I-605 Freeway Improvement Project, be and hereby is approved; and the Mayor is authorized to execute the agreement.

EXONERATION OF OFF-SITE AND ON-SITE IMPROVEMENT BONDS FOR TRACT MAP NO. 16847, 14062 FLOWER STREET, GARDEN GROVE
(F: 103.TT-16847) (XR: 24.11)

Staff report dated September 8, 2009, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Nguyen, and carried by unanimous vote that the exoneration of the Letter of Credit for Tract Map No. 16847, be and hereby is approved.

MINUTES

It was moved by Council Member Broadwater, seconded by Council Member Nguyen, and carried by unanimous vote that the minutes of the Regular Meeting of the City Council held May 26, 2009, be and hereby are received and filed.

WARRANTS (F: 60.5)

It was moved by Council Member Broadwater, seconded by Council Member Nguyen, and carried by unanimous vote that Regular Warrants 449534 through 451329; Wires W530 through W535; and Direct Deposits W450360 through W451326; and Payroll Warrants 163089 through 163275, Direct Deposits D174582 through D175898, and Wires W1474 through W1477, which have been audited for

accuracy and availability of funds by the Finance Director, be and hereby are approved.

WAIVER OF FULL READING OF ORDINANCES LISTED

It was moved by Council Member Broadwater, seconded by Council Member Nguyen, and carried by unanimous vote that full reading of all Ordinances listed for consideration of adoption be waived.

PUBLIC HEARING - ALLOCATION OF FY 2009-10 STATE SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUNDS FOR THE PURCHASE OF AN AUTOMATED REPORT WRITING SYSTEM AND UPGRADES TO THE PATROL VEHICLE IN-CAR VIDEO SYSTEMS

PUBLIC HEARING - AGREEMENT WITH THE COUNTY OF ORANGE FOR ACCEPTANCE OF JUSTICE ASSISTANCE GRANT FUNDS FOR \$267,655 TO SUPPORT THE PROACT PROGRAM AND THE PURCHASE OF AN AUTOMATED REPORT WRITING SYSTEM (F: 82.5) (XR: 82.15) (XR: 82.1)

Council Member Do stated that this Agreement does benefit the City and his dual role as a City Council Member and County Supervisor Nguyen's Chief of Staff does not prevent him from participating in this matter.

Staff reports dated September 8, 2009, were introduced and reviewed.

Mayor Dalton declared the Public Hearings open and asked if anyone wished to address the City Council on these matters.

Peggy Bergin questioned the function of the report writing system and whether it prints what is said. Staff responded that the system does not print what is recorded.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that the allocation of FY 2009-10 State Supplemental Law Enforcement Funds (SLESF) in the amount of \$165,000 for the purchase of an Automated Report Writing System (ARWS) and upgrades to the patrol vehicle In-Car Video Systems (IVS), be and hereby is approved.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that the Agreement by and between the County of Orange and the City of Garden Grove to transfer funds for the 2009 Recovery Act Edward Byrne Memorial Justice Assistance Grant (JAG) program to fund the PROACT program,

and allocate the remainder of the City's Assistance Grant in the amount of \$267,655 to complete the purchase of the automated report writing system (ARWS), be and hereby is approved; and the Mayor is authorized to execute the agreement.

SECOND READING OF ORDINANCE NO. 2757 (F: 50.2) (XR: 112.16)
(XR: 112.5) (XR: 24.12)

It was moved by Council Member Broadwater, seconded by Council Member Nguyen, and carried by unanimous vote that full reading of all Ordinances listed for consideration of adoption be waived.

ORDINANCE NO. 2757 was presented for second reading and adoption and the title read in full, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AMENDING SECTION 14.12.010 OF CHAPTER 12 OF TITLE 14 (WATER) OF THE MUNICIPAL CODE RELATING TO WATER RATES AND CHARGES

Council Member Nguyen noted that the responsibility for amending water rates and charges was passed to the City Council.

Council Member Broadwater moved, seconded by Mayor Dalton that Ordinance No. 2757 be and hereby is adopted. Said motion carried by the following vote:

AYES:	COUNCIL MEMBERS:	(4)	BROADWATER, JONES, NGUYEN, DALTON
NOES:	COUNCIL MEMBERS:	(1)	DO
ABSTAIN:	COUNCIL MEMBERS:	(0)	NONE
ABSENT:	COUNCIL MEMBERS:	(0)	NONE

MATTERS FROM THE MAYOR, CITY COUNCIL MEMBERS, AND CITY MANAGER

Council Member Broadwater responding to comments made under Oral Communications, stated that it is inappropriate for the City to investigate City Council Members.

Council Member Nguyen congratulated Victor Gomez and encouraged people to eat at his restaurant, Los Sanchez. She thanked Robin Marcario for her work on the bus benches.

Council Member Do also commented on investigating City Council Members.

Mayor Dalton offered his sympathy to the family of Chet Scherer, recalling his kindness and personal ethics, and to the family of World War II Veteran, Shifty Powers.

ADJOURNMENT

At 8:10 p.m., the meeting was declared adjourned in memory of Chet Scherer and Shifty Powers. (F: 46.9)

TERESA POMEROY
DEPUTY CITY CLERK